

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to: Commissioner for Patents
PO Box 1450, Alexandria, VA 22313-1450, on
May 27, 2005
By: Chanti Appling
QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

Atty Docket No: 407T-300200US

Client Ref:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WERNER G. KUHR and SARA A. BRAZIL

Application No.: **09/945,238**

Filed: **08/31/2001**

For: **MEANS AND METHODOLOGY FOR
MULTIPLE "COLOR" SEQUENCING**

Examiner: Michael L. Borin

Art Unit: 1631

Confirmation No: 1309

PETITION FOR WITHDRAWAL OF A HOLDING OF ABANDONMENT

Box PET
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

COMMENTS

Dear Sir:

This document is a Petition for Withdrawal of a Holding of Abandonment. This application went abandoned 30 December 2003 for failure to respond to a Restriction Requirement mailed on 30 September 2003. The Notice of Abandonment was not mailed to Applicants until April 19, 2005.

Applicants further note that the Restriction Requirement mailed on 30 September 2003 was sent to the wrong firm. As shown on the Face of that paper, the Restriction requirement of 30 September 2003 was mailed to

Patrick G. Burns, Esq.
Green, Burns & Crain, Ltd.
300 So. Wacker Drive., Suite 2500
Chicago, IL 60606

The firm of record however is:

Law Offices of Jonathan Alan Quine
P.O. Box 458
Alameda, CA 94501.

Applicants note that other papers, *e.g.*, filing receipt, Notice of to File Missing Parts of Non-provisional Application, *etc.*, were sent to the correct address. Clearly the PTO was in possession of the correct mailing address.

Because the error resulting in the abandonment of the subject case was caused by the US PTO, Applicants respectfully request a withdrawal of the holding of abandonment and reinstatement of this application.

In the alternative, should the Request for a Withdrawal of a Holding of Abandonment be denied, Applicants hereby Petition for Revival of an Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b).

STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A proper response in the form of a Response to the Office Action of September 30, 2003 is enclosed.

The Commissioner is also to charge any additional fees that may be required, or to credit any overpayment to Deposit Account Number 50-0893.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 769-3513.

QUINE INTELLECTUAL PROPERTY LAW
GROUP, P.C.
P.O. BOX 458
Alameda, CA 94501
Tel: 510 337-7871
Fax: 510 337-7877

Respectfully submitted,


Tom Hunter
Reg. No: 38,498